



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **0664MH-40982-C**

re Application of:

GREGORY G. KUELBS

Serial No. **10/650,537**

Filed: **28 AUGUST 2003**

For: **UMBRELLA APPARATUS**

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Examiner: **SAWHNEY, HARGOBIND S.**

Art Unit: **2875**

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. §1.56, the reference listed below and on the attached form PTO/SB/08A (substitute for PTO-1449) is being brought to the attention of the Examiner for consideration in connection with the examination of the subject patent application. A copy of the cited document is enclosed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)
Date of Deposit: <u>8/23/05</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. §1.8(a) on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
By: <u><i>John E. Walk</i></u>

The following foreign-language document is being brought to the attention of the Examiner:

- PCT Published Patent Application No. WO 93/00840 entitled "Multifunction Solar Parasol," published 21 January 1993.

Also submitted herewith is an English translation of this reference. The English translation is submitted in order to fulfill the requirement for a concise explanation of relevance. The English translation was prepared and filed by a third party with a Request for *Inter Partes* Reexamination, discussed below. Applicant reserves the right to file an alternative translation.

This reference was first brought to Applicant's attention in a Request for *Inter Partes* Reexamination (Control Number 95/000,104)("Request"), filed 12 August 2005, of U.S. Patent No. 6,612,713, which issued from the parent application of the subject patent application, and which has claims that differ from the claims of the subject patent application. To the best of Applicant's knowledge, a reexamination pursuant to the Request has not been granted as of the filing of this Information Disclosure Statement. Further, Applicant's do not agree with the arguments presented in the Request, at least to the extent that such arguments may be construed to mean that any of the prior art cited in the Request, including the reference submitted herewith, would render unpatentable the claims of the subject patent application.

The filing of this Information Disclosure Statement shall not be construed to be a representation that a search has been conducted, nor shall it be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

It is respectfully requested that the Examiner return a copy of the attached form PTO/SB/08A with initials or other appropriate marks indicating consideration of the cited materials.

Certification Under 37 C.F.R. §1.97(e):

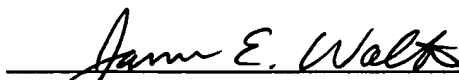
This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office action on the merits, but before the mailing of a final action or the notice of allowance. Accordingly, the undersigned hereby certifies that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

No fee is considered to be necessary for the filing of this Information Disclosure Statement. However, the undersigned hereby authorizes the Director to charge any fees that may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Please link this application to Customer Nos. 50779 and 38441 so that its status may be checked via the PAIR System.

Respectfully submitted,

8/23/05
Date


James E. Walton, Reg. No. 47,245
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
Burleson, Texas 76028
(817) 447-9955 (Voice)
(817) 447-9954 (Facsimile)
jim@waltonpllc.com

CUSTOMER NOS. 50779 and 38441

ATTORNEY FOR APPLICANT

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/650,537
Filing Date	28 AUGUST 2003
First Named Inventor	Gregory G. Kuelbs
Art Unit	2875
Examiner Name	Hargobind S. Sawhney
Attorney Docket Number	0664MH-40982-C

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ^o
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 93/00840 A1	01-21-1993	Noel Perrier, et al.		✓

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.